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## Central Valley Regional Water Quality Control Board

9 October 2017

Mike Kochergen  
Kochergen Farms Composting, Inc.  
P.O. Box 11006  
Fresno, CA 93771

### NOTICE OF APPLICABILITY

#### WATER QUALITY ORDER 2015-0121-DWQ GENERAL WASTE DISCHARGE REQUIREMENTS FOR COMPOSTING OPERATIONS KOCHERGEN FARMS COMPOSTING, INC. KINGS COUNTY

On 27 September 2016, Kochergen Farms Composting, Inc. (hereafter Discharger) submitted a Notice of Intent (NOI) Technical Report, and filing fee for the Kochergen Farms Composting Facility (Facility), to obtain coverage under Water Quality Order 2015-0121-DWQ, General Waste Discharge Requirements for Composting Operations (hereafter General Order), for composting operations at the above-referenced site. A revised Technical Report was submitted in response to Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff comments on 1 September 2017. The complete General Order can be accessed at: [http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2015/wqo2015\\_0121\\_dwq.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2015/wqo2015_0121_dwq.pdf)

This Notice of Applicability (NOA) was developed after the review of your NOI and revised Technical Report as described in the attached Staff Memorandum which is a part of this NOA. Based on staff's review, the Facility meets the conditions of the General Order and is hereby covered under General Order **2015-0121-DWQ-R5F009** as a **Tier II** composting operation. The Discharger must comply with all Tier II requirements of the General Order.

The filing fee for the Kochergen Farms Composting Facility is based on Threat to Water Quality and Complexity rating of 3B. The submitted \$4,699 filing fee covers the first year permitted by this NOA. The Discharger shall submit the required annual fee (as specified in the annual billing issued by the State Water Resources Control Board) until the NOA is officially terminated.

To fully comply with this NOA, please familiarize yourself with the contents of the enclosed Staff Memorandum and all of the requirements of the General Order. The Discharger is responsible for implementing all operations in a manner that complies with the General Order. Any noncompliance with this General Order constitutes a violation of the Water Code, and is grounds for enforcement action, and/or termination of enrollment under this General Order.

Conditions of this Composting General Order include but are not limited to:

- Provide the results of the proposed comprehensive soil analysis by 31 July 2018.
- Address any hydraulic conductivity deficiencies by 31 July 2022.
- Expand existing stormwater basins or add additional stormwater basins to meet the design storm storage requirements by 31 December 2021.
- Install a pan lysimeter beneath each stormwater basin and install a liner system, which meets the requirements of the General Order, in all stormwater basins by 31 December 2021.
- The existing facility needs to be graded so that all surface runoff drains to the drainage conveyance system by 31 December 2021.
- Submit a post-construction report to the Central Valley Water Board within 60 days of completing all construction activities associated with all applicable containment and monitoring structures, as required for compliance with this General Order and the MRP.
- Additionally, prior to any facility expansion, a technical report with design information will have to be submitted at least 90 days prior to new construction of working surfaces, stormwater detention basins, berms, ditches, or any other water quality protection containment structure for approval by the Central Valley Water Board. The design information must include water balance calculations for detention ponds and wastewater conveyance features.
- Any expansion of facility operation must meet the requirements of the General Order prior to commencement of composting operations in any new area.
- A revised NOI is required at least 90 days prior to:
  - adding a new feedstock, additive, or amendment;
  - changing material or construction specifications;
  - changing a monitoring program; or
  - changing an operation or activity not described in the approved NOI and technical report.

Attachment B of the General Order includes specific monitoring and reporting requirements that you must comply with, including routine monitoring and reporting to the Central Valley Regional Water Control Board. The first year Annual Monitoring and Maintenance Report as identified in the General Order must be submitted to the Central Valley Water Board no later than **1 April 2018**, and then annually by 1 April each year.

All reports and other correspondence must be converted to searchable Portable Document Format (PDF) and submitted electronically. Documents that are less than 50 MB are to be emailed to: [centralvalleyfresno@waterboards.ca.gov](mailto:centralvalleyfresno@waterboards.ca.gov). Documents that are 50 MB or larger are to be transferred to a portable data storage device and mailed to this office at the address provided on the cover page.

To ensure that your submittal is routed to the appropriate staff person, the following information should be included in the body of the email or any documentation submitted to the mailing address for this office:

Attention:	Title 27 Unit
Discharger Name:	Kochergen Farms Composting, Inc.
Facility Name:	Kochergen Farms Composting Facility
County:	Kings County
CIWQS Place ID:	215352

If you have any questions regarding this letter or the attached Staff Memorandum, please contact Kristen Gomes at (559) 445-5108 or [kristen.gomes@waterboards.ca.gov](mailto:kristen.gomes@waterboards.ca.gov).

Sincerely,

*Original signed by Clay L. Rodgers for:*

Pamela C. Creedon  
Executive Officer

Enclosures: Staff Memorandum

cc: Nadine Langley, State Water Resources Control Board, Sacramento  
Kevin Grove, BSK, ([kgrove@bskassociates.com](mailto:kgrove@bskassociates.com))